

TENTATIVE RULINGS for CIVIL LAW and MOTION
July 13, 2009

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted at the entrance to the courtroom and on the Yolo Courts Website, at www.yolo.courts.ca.gov. If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Telephone number for the clerk in Department Fifteen: (530) 406-6942
Department One: (530) 406-6888

TENTATIVE RULING

Case: County Fair Fashion Mall, LLC v. Creative Tile, Inc.
Case No. CV CV 07-2754

Hearing Date: **July 13, 2009** **Department Fifteen** **9:00 a.m.**

The motion to strike and demurrer are moot. Plaintiff filed a fourth amended complaint on July 9, 2009.

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

TENTATIVE RULING

Case: El-Badry v. Antibodies, Inc.
Case No. CV CV 05-949

Hearing Date:	July 13, 2009	Department One	9:00 a.m.
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Plaintiff Abdalla M. El-Badry's petition for an order vacating, correcting and/or setting aside the arbitration award is **DENIED**. (Code Civ. Proc., §§ 1280 et seq.)

Defendant Antibodies, Inc.'s motion to confirm the arbitrator's award is **GRANTED**. (Code Civ. Proc., §§ 1285 et seq.)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

TENTATIVE RULING

Case: F.P. Construction, Inc. v. D&S Development
Case No. CV G 09-591

Hearing Date: **July 13, 2009** **Department Fifteen** **9:00 a.m.**

The demurrer is moot. Plaintiff filed an amended complaint on July 10, 2009.

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

TENTATIVE RULING

Case: **In re claim of Marisol Vivanco**
Case No. CV PT 07-2188

Hearing Date: **July 13, 2009** **Department Fifteen** **9:00 a.m.**

On November 24, 2008, the People submitted a notice that the property at issue in this matter was released to the claimant. Unless the claimant appears at the hearing to contest this fact, this matter shall be dismissed. No request for hearing is required.

TENTATIVE RULING

Case: **People v. \$487.00**
Case No. CV PT 07-1018

Hearing Date: **July 13, 2009** **Department Fifteen** **9:00 a.m.**

The People are directed to appear to advise the Court of any related criminal action. A judgment of forfeiture against the claimant requires, as a condition precedent thereto, that a defendant be convicted in an underlying or related criminal action of an offense specified in section 11470, subdivision (f) which offense occurred within five years of the seizure of the property subject to forfeiture or within five years of the notice of intent to seek forfeiture. (Health and Safety Code, § 11488.4, subd. (i)(3).)